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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixty-fifth session
24 October-18 November 2016
Item 4 of the provisional agenda
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in the absence of the combined fourth to seventh periodic reports of Antigua and Barbuda

General

1. The Committee has not received the combined fourth to seventh periodic reports of the State party, which have been overdue since 2002. It has therefore based the present list of issues and questions on its previous concluding observations (A/52/38/REV.1, paras. 228-272), the most recent concluding observations of the Committee on the Rights of the Child (CRC/C/15/Add.247), reports from the universal periodic review and alternative information. Please explain why the State party has not been able to submit its combined fourth to seventh periodic reports.

Constitutional and legislative framework

2. Given that the dualist system of the State party requires the incorporation of the Convention into the domestic legal system to render it fully applicable, please indicate whether the State party has taken measures to incorporate the Convention as well as to identify, repeal and amend provisions in the existing legislation that discriminate against women. Please indicate whether the State party has taken measures to integrate into the relevant legislation a definition of discrimination against women in line with article 1 of the Convention, covering acts of discrimination by public and private actors, in accordance with article 2 of the Convention. Please also indicate cases in which the Convention has been cited by national courts, providing details thereof.

Note: The present document is being circulated in English, French and Spanish only.

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National machinery for the advancement of women

3. Please indicate the human, technical and financial resources allocated to the Directorate of Gender Affairs and provide information on the capacity of the national machinery for the advancement of women to fulfil its mandate. Please also indicate whether the State party envisages developing a national gender equality policy.

4. Please provide information and statistics disaggregated by sex on the current situation of women in the State party, in all areas covered by the Convention. Please also indicate whether the State party envisages developing a gender-sensitive system for the collection, analysis and dissemination of sex-disaggregated data.

Stereotypes and harmful practices

5. According to information received by the Committee, the media, including through advertisements, convey increasingly sexualized and commercialized images of women in the State party. Moreover, there are reports that underage girls are being recruited to work as "models" in public advertising in ways that reinforce negative gender stereotypes. Please provide information on measures taken or envisaged, including the development of a comprehensive policy, to change social and cultural patterns that lead to stereotyping and that reproduce or reinforce the traditional roles of women and men within the family and in society in general.

Violence against women

6. Information before the Committee contains references to the very high rate of violence against women, including domestic and sexual violence. It has also been reported that the Directorate of Gender Affairs has taken measures to address that issue. Please indicate whether an impact assessment of such measures has been conducted and, if it has, please indicate the results. Please also provide detailed information on the current situation and trends with respect to all forms of violence against women and girls occurring in the domestic and public spheres.

7. It is indicated in information before the Committee that the State party is implementing data collection protocols to address gender-based violence, in particular violence against women. Please provide data, disaggregated by age, type of offence and the relationship of the perpetrator to the victim, on cases of violence against women reported to the police, the number of cases brought to court and the number of prosecutions and convictions resulting therefrom. Please also provide data on women murdered by their husbands, partners or ex-partners.

8. Please indicate the steps taken or envisaged to adopt a comprehensive law on all forms of violence against women, including domestic violence, as well as legal provisions: prohibiting sexual violence and harassment at school, in the workplace and in the public sphere; defining rape on the basis of lack of consent; and explicitly criminalizing marital rape in all circumstances.

9. Please indicate whether the State party envisages developing a national policy or comprehensive long-term strategy to combat violence against women that would include measures to: (a) encourage women to report acts of violence, introduce the possibility of ex officio prosecution and raise awareness about the grave and serious nature of such acts; (b) ensure the prosecution, conviction and punishment of perpetrators; (c) provide victims with effective protection, remedies and

rehabilitation, as well as financial remedies, including compensation; and (d) carry out capacity-building and awareness-raising programmes for police and other law enforcement officers, lawyers, health and social workers, the judiciary and the public at large.

Trafficking

10. Please indicate whether the State party has carried out a study to investigate the scope, extent and root causes of trafficking in persons and forced prostitution, in particular women and girls, including through the collection and analysis of data on the trafficking and exploitation of women and girls in prostitution. Please also indicate whether the State party envisages developing policies and programmes addressing prevention, protection, assistance and legal support for victims of trafficking, especially those who are exploited in forced prostitution and sex tourism, and the prosecution and punishment of perpetrators. Please provide information on measures taken to adopt specific legislation to protect women in prostitution, on the prevalence of prostitution in the State party and on measures taken to prevent the sexual exploitation of women and girls. Please also indicate whether measures have been taken to reduce the demand for prostitution and to support women who wish to leave prostitution.

11. In information before the Committee it is stressed that the penalties stipulated in the Trafficking in Persons (Prevention) Act (2010) were declared unconstitutional by the High Court of Justice in 2014. Please indicate whether measures have been taken to review the Act, especially regarding penalties, to ensure that traffickers are held criminally accountable.

Participation in political and public life

12. It is mentioned in information before the Committee that the majority of civil servants are women but that there are only two women in the House of Representatives and one woman in the Cabinet. Please provide information on the steps taken to increase the number of women in elected and appointed decision-making bodies and to achieve equal representation of women in political and public life, including through the adoption of temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on the subject. Please provide, in particular, information on measures taken or envisaged, in accordance with the Committee's general recommendation No. 23 (1997) on political and public life, to introduce a system of quotas aimed at reaching a minimum of 30 per cent of women in Parliament and to support women candidates standing for election.

Education

13. It is mentioned in information before the Committee that there is near gender parity in the net enrolment of girls and boys in both primary and secondary schools. Reference is also made to: (a) the high dropout rate of girls owing to pregnancy; (b) economic obstacles to women's and girls' access to education, especially in female-headed households; and (c) persistent gender segregation in fields of study, with females concentrated in traditional areas of domestic skills. Please provide information on the measures taken to address these issues.

Employment

14. Please provide information on the measures taken to: reduce the high rate of unemployment among women, especially young, educated women; address occupational segregation, both horizontal and vertical, in the public and private sectors; and close the wage gap between women and men by ensuring the effective implementation of the principle of equal pay for women and men for work of equal value.

Health

15. Please provide information on the status of women's health, including sexual and reproductive health Please also provide information on: the maternal mortality rate; women's access to basic health-care services, including essential antenatal, postnatal and obstetric care, and the prevalence of cervical and breast cancer and the measures taken to prevent these and other chronic non-communicable diseases that predominantly affect women.

16. In its previous concluding observations (A/52/38/REV.1, para. 259), the Committee mentions the high number of teenage pregnancies in the State party. Please provide information on the availability and accessibility of comprehensive and age-appropriate education on sexual and reproductive health and rights, and of family planning services. Please also provide information on measures taken to allow girls of 16 years of age and above access to family planning services, including modern forms of contraception and reproductive services. Please indicate what measures have been taken to protect the reproductive rights of women and girls with disabilities, including by criminalizing their forced sterilization.

17. Under the Infant Life (Preservation) Act (1937), abortion is illegal, except in cases in which the mother's life is in danger. Please provide information on the incidence of unsafe abortion and its impact on women's health, including maternal mortality. Please also indicate whether the State party envisages amending its legislation to decriminalize abortion, ensure its legal and practical availability, at least in cases in which the life and/or health of the pregnant woman or girl is at risk and in cases of rape, incest and serious impairment of the fetus, and repeal the requirement that a committee of doctors certify that the abortion is necessary to preserve the life of the pregnant woman or girl, in line with the Committee's general recommendation No. 24 (1999) on article 12 of the Convention (women and health).

Disadvantaged groups of women

18. Please provide information on measures aimed at the improvement of women's access to land ownership and credit facilities, in particular among disadvantaged groups of women. Please also provide information on the situation of women with disabilities, older women, women in detention, women living in situations of poverty and refugee women in relation to access to health services, education and social protection measures.

Natural disasters and climate change

19. Given that the State party is in the hurricane belt, please provide information on whether a gender perspective has been incorporated into national disaster risk reduction management and relief and recovery strategies. Please also provide information on the involvement of women in the formulation and implementation of disaster risk reduction, post-disaster management and climate change policies and programmes.

Amendment to article 20 (1) of the Convention

20. Please indicate any progress made with respect to the acceptance of the amendment to article 20 (1) of the Convention.